

GARY B MOORE

PLAINTIFF/PETITIONER/MOVANT'S NAME

F-17016

PRISON NUMBER

Calipatria State Prison

PLACE OF CONFINEMENT

P.O. Box 5002

Calipatria, CA 92233

ADDRESS

2254	1983
FILING FEE PAID	
Yes	No <input checked="" type="checkbox"/>
HYP MOTION FILED	
Yes	No <input checked="" type="checkbox"/>
COPIES SENT TO	
Court <input checked="" type="checkbox"/>	ProSe <input checked="" type="checkbox"/>

FILED

2008 MAY 21 PM 3:11

CLERK US DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIABY Rm DEPUTYUnited States District Court  
Southern District Of California

Gary B Moore

Plaintiff/Petitioner/Movant

Calipatria State Prison, T.O. Choy

J. Awaga, N. GRANWIS Defendant/Respondent

'08 CV 0904 IEG NLS

Civil No.

(TO BE FILLED IN BY U.S. DISTRICT COURT CLERK)

MOTION AND DECLARATION UNDER  
PENALTY OF PERJURY IN SUPPORT  
OF MOTION TO PROCEED IN FORMA  
PAUPERIS

I, declare that I am the Plaintiff/Petitioner/Movant in this case. In support of my request to proceed without prepayment of fees or security under 28 U.S.C. § 1915, I further declare I am unable to pay the fees of this proceeding or give security because of my poverty, and that I believe I am entitled to redress.

In further support of this application, I answer the following question under penalty of perjury:

1. Are you currently incarcerated? ☒ Yes ☐ No (If "No" go to question 2)

If "Yes," state the place of your incarceration

Are you employed at the institution?

☐ Yes ☒ No

Do you receive any payment from the institution? ☐ Yes ☒ No

[Have the institution fill out the Certificate portion of this affidavit and attach a certified copy of the trust account statement from the institution of your incarceration showing at least the last six months transactions.]

CR

2. Are you currently employed? ☐ Yes ☒ No

a. If the answer is "Yes," state the amount of your take-home salary or wages and pay period and give the name and address of your employer.

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b. If the answer is "No" state the date of your last employment, the amount of your take-home salary or wages and pay period and the name and address of your last employer.

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3. In the past twelve months have you received any money from any of the following sources?:

- |   |                              |  |
|---|------------------------------|--|
| a. Business, profession or other self-employment  | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| b. Rent payments, royalties interest or dividends | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| c. Pensions, annuities or life insurance          | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| d. Disability or workers compensation             | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| e. Social Security, disability or other welfare   | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| e. Gifts or inheritances                          | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| f. Spousal or child support                       | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| g. Any other sources                              | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |

If the answer to any of the above is "Yes" describe each source and state the amount received and what you expect you will continue to receive each month.

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4. Do you have any checking account(s)? ☐ Yes ☒ No

a. Name(s) and address(es) of bank(s):

b. Present balance in account(s):

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5. Do you have any savings/IRA/money market/CDS' separate from checking accounts? ☐ Yes ☐ No

a. Name(s) and address(es) of bank(s):

b. Present balance in account(s):

6. Do you own an automobile or other motor vehicle? ☐ Yes ☒ No

a. Make: Year: Model:

b. Is it financed? ☐ Yes ☐ No

c. If so, what is the amount owed?

7. Do you own any real estate, stocks, bonds, securities, other financial instruments, or other valuable property?

☐ Yes ☒ No

If "Yes" describe the property and state its value. \_\_\_\_\_

8. List the persons who are dependent on you for support, state your relationship to each person and indicate how much you contribute to their support. *None*

9. List any other debts (current obligations, indicating amounts owed and to whom they are payable): *N/A*

10. List any other assets or items of value (specify real estate, gifts, trusts inheritances, government bonds, stocks, savings certificates, notes, jewelry, artwork, or any other assets [include any items of value held in someone else's name]): *None*

11. If you answered all of the items in #3 "No," and have not indicated any other assets or sources of income anywhere on this form, you must explain the sources of funds for your day-to-day expenses. *Im in Prison*

I declare under penalty of perjury that the above information is true and correct and understand that a false statement herein may result in the dismissal of my claims.

*May 19, 2008*

DATE

*Gary B. Moore*

SIGNATURE OF APPLICANT

**TRUST ACCOUNT WITHDRAWAL AUTHORIZATION**  
**(Incarcerated applicants only)**

(This form **MUST** be completed by the prisoner requesting to proceed in forma pauperis. An incomplete "Trust Account Withdrawal Authorization Form," or "Prison Certificate" will result in automatic denial of the prisoner's request to proceed in forma pauperis.)

I, Gary B Moore - F17016, request and authorize the agency holding me in  
(Name of Prisoner/ CDC No.)  
 custody to prepare for the Clerk of the United States District Court for the Southern District of California, a certified copy of the statement for the past six months of my trust fund account (or institutional equivalent) activity at the institution where I am incarcerated.

I further request and authorize the agency holding me in custody to calculate and disburse funds from my trust fund account (or institutional equivalent) pursuant to any future orders issued by the Court relating to this civil action pursuant to the Prison Litigation Reform Act of 1995, Pub. L. No. 104-134, Title VIII, §§ 801-10, 110 Stat. 1321 (1996).

This authorization is furnished in connection with a civil action filed in the Southern District of California, and I understand that, pursuant to 28 U.S.C. §§ 1914 and 1915(b)(1), the total amount of filing fees for which I am obligated is either ☐ \$350 (civil complaint) or ☐ \$5 (habeas corpus petition) (check one). I also understand that this fee will be debited from my account regardless of the outcome of this action. This authorization shall apply to any other agency into whose custody I may be transferred.

4/30/08

DATE

Gary B Moore

SIGNATURE OF PRISONER

If you are a prisoner you must have an officer from your institution provide this official certificate as to the amount of money in your prison account. There are no exceptions to this requirement.

**PRISON CERTIFICATE**  
**(Incarcerated applicants only)**  
 (To be completed by the institution of incarceration)

I certify that the applicant \_\_\_\_\_

(NAME OF INMATE)

F17016

(INMATE'S CDC NUMBER)

has the sum of \$ -52.20 on account to his/her credit at \_\_\_\_\_

Calipatria State Prison  
 (NAME OF INSTITUTION)

I further certify that the applicant has the following securities N/A

to his/her credit according to the records of the aforementioned institution. I further certify that **during**

**the past six months** the applicant's *average monthly balance* was \$ 0

and the *average monthly deposits* to the applicant's account was \$ 0

**ALL PRISONERS *MUST* ATTACH A CERTIFIED COPY OF THEIR TRUST ACCOUNT STATEMENT SHOWING TRANSACTIONS FOR THE SIX-MONTH PERIOD IMMEDIATELY PRECEDING THE FILING OF THE COMPLAINT PER 28 U.S.C. § 1915(a)(2).**

5/2/08

DATE

K Perdomo

SIGNATURE OF AUTHORIZED OFFICER OF INSTITUTION

K Perdomo

OFFICER'S FULL NAME (PRINTED)

Account Clerk II

OFFICER'S TITLE/RANK

REPORT ID: TS3030 701

REPORT DATE: 05/07/08  
PAGE NO: 1

CALIFORNIA DEPARTMENT OF CORRECTIONS  
CALIPATRIA STATE PRISON  
INMATE TRUST ACCOUNTING SYSTEM  
INMATE TRUST ACCOUNT STATEMENT

FOR THE PERIOD: NOV. 01, 2007 THRU MAY 07, 2008

ACCOUNT NUMBER: F17016  
ACCOUNT NAME: MOORE, GARY BERNARD  
PRIVILEGE GROUP: D  
BED/CELL NUMBER: FA05000000000144L  
ACCOUNT TYPE: I

TRUST ACCOUNT ACTIVITY

<< NO ACCOUNT ACTIVITY FOR THIS PERIOD >>

CURRENT HOLDS IN EFFECT

DATE PLACED	HOLD CODE	DESCRIPTION	COMMENT	HOLD AMOUNT
05/01/2008	H109	LEGAL POSTAGE HOLD	4/29 6487	6.40
05/01/2008	H109	LEGAL POSTAGE HOLD	4/28 6487	4.60
05/01/2008	H109	LEGAL POSTAGE HOLD	4/28 6487	0.92
05/01/2008	H109	LEGAL POSTAGE HOLD	4/28 6487	1.31
05/01/2008	H109	LEGAL POSTAGE HOLD	4/28 6487	0.92
05/06/2008	H118	LEGAL COPIES HOLD	4/28 6581	37.30
05/07/2008	H200	GENERAL HOLD	ENVEL 6600	0.75

TRUST ACCOUNT SUMMARY

BEGINNING BALANCE	TOTAL DEPOSITS	TOTAL WITHDRAWALS	CURRENT BALANCE	HOLDS BALANCE	TRANSACTIONS TO BE POSTED
0.00	0.00	0.00	0.00	52.20	0.00

CURRENT  
AVAILABLE  
BALANCE

52.20



THE WITHIN INSTRUMENT IS A CORRECT  
COPY OF THE TRUST ACCOUNT MAINTAINED  
BY THIS OFFICE.  
ATTEST:  
CALIFORNIA DEPARTMENT OF CORRECTIONS  
BY [Signature]  
TRUST OFFICE